

maintain such records and report such information, including the number and size of incentive offers made and accepted or declined by geographic location and occupation, in such format and at such times as the Office of Personnel Management may prescribe, for use in preparing the report.”

§ 5759.¹ Retention and relocation bonuses for the Federal Bureau of Investigation

(a) **AUTHORITY.**—The Director of the Federal Bureau of Investigation, after consultation with the Director of the Office of Personnel Management, may pay, on a case-by-case basis, a bonus under this section to an employee of the Bureau if—

(1)(A) the unusually high or unique qualifications of the employee or a special need of the Bureau for the employee’s services makes it essential to retain the employee; and

(B) the Director of the Federal Bureau of Investigation determines that, in the absence of such a bonus, the employee would be likely to leave—

- (i) the Federal service; or
- (ii) for a different position in the Federal service; or

(2) the individual is transferred to a different geographic area with a higher cost of living (as determined by the Director of the Federal Bureau of Investigation).

(b) **SERVICE AGREEMENT.**—Payment of a bonus under this section is contingent upon the employee entering into a written service agreement with the Bureau to complete a period of service with the Bureau. Such agreement shall include—

(1) the period of service the individual shall be required to complete in return for the bonus; and

(2) the conditions under which the agreement may be terminated before the agreed-upon service period has been completed, and the effect of the termination.

(c) **LIMITATION ON AUTHORITY.**—A bonus paid under this section may not exceed 50 percent of the employee’s basic pay.

(d) **IMPACT ON BASIC PAY.**—A retention bonus is not part of the basic pay of an employee for any purpose.

(e) **TERMINATION OF AUTHORITY.**—The authority to grant bonuses under this section shall cease to be available after December 31, 2009.

(Added Pub. L. 108–447, div. B, title I, §113(a), Dec. 8, 2004, 118 Stat. 2868.)

§ 5760. Travel and transportation allowances: transportation of family members incident to the repatriation of employees held captive

(a) **ALLOWANCE FOR FAMILY MEMBERS AND CERTAIN OTHERS.**—(1) Under uniform regulations prescribed by the heads of agencies, travel and transportation described in subsection (d) may be provided for not more than 3 family members of an employee described in subsection (b).

(2) In addition to the family members authorized to be provided travel and transportation under paragraph (1), the head of an agency may

provide travel and transportation described in subsection (d) to an attendant to accompany a family member described in subsection (b) if the head of an agency determines—

(A) the family member to be accompanied is unable to travel unattended because of age, physical condition, or other reason determined by the head of the agency; and

(B) no other family member who is eligible for travel and transportation under subsection (a) is able to serve as an attendant for the family member.

(3) If no family member of an employee described in subsection (b) is able to travel to the repatriation site of the employee, travel and transportation described in subsection (d) may be provided to not more than 2 persons related to and selected by the employee.

(b) **COVERED EMPLOYEES.**—An employee described in this subsection is an employee (as defined in section 2105 of this title) who—

(1) was held captive, as determined by the head of an agency concerned; and

(2) is repatriated to a site inside or outside the United States.

(c) **ELIGIBLE FAMILY MEMBERS.**—In this section, the term “family member” has the meaning given the term in section 411h(b) of title 37.

(d) **TRAVEL AND TRANSPORTATION AUTHORIZED.**—(1) The transportation authorized by subsection (a) is round-trip transportation between the home of the family member (or home of the attendant or person provided transportation under paragraph (2) or (3) of subsection (a), as the case may be) and the location of the repatriation site at which the employee is located.

(2) In addition to the transportation authorized by subsection (a), the head of an agency may provide a per diem allowance or reimbursement for the actual and necessary expenses of the travel, or a combination thereof, but not to exceed the rates established for such allowances and expenses under section 404(d) of title 37.

(3) The transportation authorized by subsection (a) may be provided by any of the means described in section 411h(d)(1) of title 37.

(4) An allowance under this subsection may be paid in advance.

(5) Reimbursement payable under this subsection may not exceed the cost of government-procured round-trip air travel.

(Added Pub. L. 109–163, div. A, title XI, §1121(a), Jan. 6, 2006, 119 Stat. 3451.)

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¹ So in original. No section 5758 has been enacted.